

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:** Williams et al.

**Serial No.:** 10/647,874

**Filed:** August 25, 2003

**For:** HEAT SINKS INCLUDING  
NONLINEAR PASSAGEWAYS

**Confirmation No.:** 3191

**Examiner:** L. Andujar

**Group Art Unit:** 2826

**Attorney Docket No.:** 2269-4209.2US  
(99-0174.02/US)

**Notice of Allowance Mailed:**  
February 12, 2007

VIA ELECTRONIC FILING

May 10, 2007

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

These Comments follow the Notice of Allowance of February 12, 2007, and are being filed pursuant to 37 C.F.R. § 1.104(e) to respond to the Examiner's Statement of Allowable Subject Matter that accompanied the Notice of Allowance.

In the Notice of Allowance mailed February 12, 2007, the Examiner indicates:

The heat sink as recited in the claims of the instant invention fail to be taught by the prior art cited of interest. The cited prior art shows heat sinks semiconductor device but fails to teach the

specific characteristic of the structure recited in the claims of the instant invention e.g. one or more passageways extending within the unitary structure and having a non-linear path.

The stated reasons for allowance are agreed within inasmuch as they comprise a summary, which are merely nonlimiting examples. However, it should be noted that the scope of each claim is based on its actual language and the equivalents to such language, not on a summary of the claim language.

The independent claim as allowed recites features and methodology in addition to, and in different language than, those described in the Statement of Allowable Subject Matter. Furthermore, the dependent claims recite elements in addition to those of the independent claim, which are also not reflected in the Statement of Allowable Subject Matter. Such additional elements, in combination with those of the independent claim from which each claim depends, provide additional reasons for patentability. Accordingly, the scope of the claims must be determined from the literal language of each as a whole, as well as all equivalents thereof.

Therefore, to the extent that the Examiner's reasons for allowance as stated are not relevant to, or wholly encompassing of, a particular claim, independent or dependent, Applicants assume that, pursuant to 37 C.F.R. § 1.104(e), the Examiner has determined that the record of the prosecution as a whole of the application makes clear the reasons for allowing those claims. Further, it appears, pursuant to M.P.E.P. § 1302.14, that the Examiner's Statements of Allowable Subject Matter are not intended to encompass all of the reasons for allowance.

Respectfully submitted,



Brick G. Power  
Registration No. 38,581  
Attorney for Applicants  
TRASKBRITT, PC  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: May 10, 2007

BGP/mah:eg

\\\Traskbritt\Shared\DOCS\2269-4209.2US\216863.doc